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Response Under 37 C.F.R. §1.116
Expedited Procedure
Group Art Unit 1634

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert G. Pergolizzi, et al.

Serial No.: 08/479,995

Filed: June 7, 1995

For: ANALYTE DETECTION UTILIZING
POLYNUCLEOTIDE SEQUENCES,
COMPOSITION, PROCESS AND KIT

Group Art Unit: 1634

Former Group Art Unit 1809

Examiner: Ardin H. Marschel, Ph.D.

527 Madison Avenue (9th Floor)
New York, New York 10022
June 29, 1998

FILED BY EXPRESS MAIL

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

REQUEST UNDER 37 C.F.R. §1.129(a) FOR WITHDRAWAL
OF THE FINALITY OF THE JUNE 22, 1998 OFFICE ACTION

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Dear Sirs:

Pursuant to the provisions of 37 C.F.R. §1.129(a), Applicants respectfully request withdrawal of the finality of the June 22, 1998 Office Action issued in connection with the above-identified application.

The fee for filing this Request Under 37 C.F.R. §1.17(r) is \$790.00. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite fee of \$790.00 set forth in 37 C.F.R. §1.17(r). The Patent and Trademark office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Request, and to credit any overpayment thereto.

Duplicate copies of this Request are also attached herewith.

Favorable action on this Request is earnestly solicited.

Respectfully submitted,

Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

07/01/1998 HWA810L 00000026 051135 00479995

01 FC:146 790.00 CH

ENZO DIAGNOSTICS, INC.
c/o ENZO BIOCHEM, INC.
527 Madison Avenue, 9th Floor
New York, New York 10022
Tel.: (212) 583-0100
Facsimile: (212) 583-0150
lcuspro@enz111@withdrawfinality1.129a.062998.enz11C2D1C2

ENZ-11(C2)(D1)(C2)

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	EM366506094
Deposit Date	June 29, 1998
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service - Express Mail Post Office to Adjudication Service (under 37 C.F.R. 1.129) on the date indicated above and addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231.	
	JUNE 29 1998
Ronald C. Fedus Reg. No. 32,567	Date



**AMENDMENT UNDER 37 C.F.R. §1.116
EXPEDITED PROCEDURE
EXAMINING GROUP ART UNIT 1634**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert G. Pergolizzi et al.
Serial No.: 08/479,995 Group Art Unit: 1634
Filed: June 7, 1995 Exam'r: Ardin Marschel, Ph.D
Title: **ANALYTE DETECTION UTILIZING POLYNUCLEOTIDE
SEQUENCES, COMPOSITION, PROCESS AND KIT**

FILED BY EXPRESS MAIL

Honorable Commissioner of
Patents and Trademark
Washington, D.C. 20231

Attention: **BOX AF**

Sir:

Transmitted herewith is a Amendment Under 37 C.F.R. §1.116 In
Response to the June 22, 1998 Office Action previously issued in the above-
identified patent application.

The fee has been calculated as shown below:

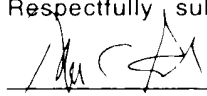
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total	650	Minus	581	= 69	x 22	\$ 1518
Indep	46	Minus	27	= 19	x 82	\$ 1558
() First Presentation of Multiple Dependent Claims					+ 240	\$ 0
TOTAL ADDITIONAL FEE -----						\$ 3076

- (X) Charge Deposit Account No. 05-1135 in the amount of **\$3076**.
() A check in the amount of \$_____ is attached.
(X) The Commissioner is hereby authorized to charge payment of the
following fees associated with this communication or credit any
overpayment to Deposit Account No. 05-1135: any filing fees
under 37 C.F.R. §1.16 for the presentation of extra claims and any
patent application processing fees under 37 C.F.R. §1.17.

Copies are being provided in triplicate.

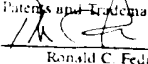
Respectfully submitted,

JUNE 29, 1998
Date


Ronald C. Fedus
Registration No. 32,567
Attorney for Applicant(s)

ENZO DIAGNOSTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022
Tel: (212) 856-0876

Attorney's Docket No.: **Enz-11(C2)(D1)(C2)**

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	EM366566094
Deposit Date	JUNE 29, 1998
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.19 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231	
 Ronald C. Fedus Reg. No. 32,567	<u>JUNE 29 98</u> Date